IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1740 OF 2005

Ramchandra Nivarutti Pawar ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri P.R.Arjunwadkar for the Applicant.
Shri A.S.Gadkari, APP for the Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 21, 2005

PC :-

. Heard the learned counsel for the parties. Perused the record

2. The offence in respect of which the applicant is prosecuted is undoubtedly punishable by maximum sentence of 7 years. The applicant was in police custody and has been extensively interrogated. Besides, the applicant is in judicial custody since 9th of February, 2005. The only reason for which the applicant's custody will be necessary, as is claimed by the learned APP, is to make recovery of the amount in question. However, it is seen from the record that no effort has been made by the investigating officer

atleast since 9th February, 2005 when the applicant has been sent to the judicial custody even though the amount involved, is stated to be about Rs.81,000/- in so far as the present applicant is concerned.

3. Taking overall view of the matter, this is a fit case for grant of bail. Hence, this application is allowed on the following conditions :-

(a) The Applicant is directed to be released on bail in connection with C.R.No. II-22/1999, registered with Solapur Taluka Police Station, Solapur, on executing personal bond in the sum of Rs. 10,000/- (Rs. Ten thousand only) with one or two local sureties in the like amount.

(b) The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

(c) The applicant shall report to the investigating officer once in a week on Saturday between 10 a.m. to 2 p.m. till filing of the chargesheet.

(d) The Applicant shall extend full co-operation to the investigating officer as well as to the trial court for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

4. Ordered accordingly.

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